

Feb 23, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHY SKY ROSE,

Defendant.

No. 4:21-CR-06029-SMJ-1

ORDER GRANTING MOTION TO
EXPEDITE AND MODIFYING
DEFENDANT'S CONDITIONS OF
RELEASE

ECF Nos. 39, 40

Before the Court are Defendant's Motion to Modify Conditions of Release (ECF No. 39) and Motion to Expedite (ECF No. 40). The motions were heard on February 22, 2022. Defendant appeared by video represented by assistant federal defender Nick Mirr. Assistant United States Attorney Michael Murphy represented the United States. Defendant's supervising United States Probation/Pretrial Services Officer, Dan Manning, was also in attendance.

Defendant requests the Court modify his conditions of home detention to impose a curfew from 8:00 p.m. to 6:00 a.m. and allow modification by his supervising pretrial services officer to account for his work schedule. Defendant also requests the Court modify his restriction of access to internet-enabled devices to allow him to attend virtual treatment group sessions, in addition to court

1 hearings, and meetings with counsel and the United States Probation/Pretrial
2 Services Office.

3 Neither the United States nor the United States Probation/Pretrial Services
4 Office oppose the Motion. Accordingly,

5 **IT IS ORDERED:**

6 1. Defendant's Motion to Modify Conditions of Release (**ECF No. 39**)
7 and Motion to Expedite (**ECF No. 40**) are **GRANTED**.

8 1. The provision contained in Special Condition No. 2 (**ECF No. 22**)
9 providing for Home Confinement is **STRICKEN** and **REPLACED** with the
10 following condition:

11 Curfew: Defendant shall be restricted to Defendant's approved residence
12 every day from 8:00 PM to 6:00 AM., and as modified by his United States
13 Probation Officer to account for any changes in Defendant's work schedule.

14 2. The provision contained in Special Condition No. 7 (**ECF No. 22**)
15 providing for restrictions on internet enabled devices is **STRICKEN AND**
16 **REPLACED** with the following condition:

17 Defendant shall not have access to the internet, including but not limited to
18 cell phones with internet access, or text message capabilities. Defendant shall not
19 seek employment involving the use of computers or other digital devices.

20 Additionally, any other devices at Defendant's residence with access to the internet

1 must be password protected from Defendant. The only exception is that Defendant
2 is permitted to access the internet to meet with his counsel or the Pretrial Service
3 Office by video, to attend Court hearings held by video, and to participate in
4 treatment sessions by video.

5 3. All other conditions of release shall remain in effect.

6 The District Court Executive shall enter this Order and provide copies to
7 counsel and United States Probation.

8 DATED February 23, 2022.

9 s/James P. Hutton
10 JAMES P. HUTTON
11 UNITED STATES MAGISTRATE JUDGE
12
13
14
15
16
17
18
19
20